



image

1642-1 RCE
Atty. Dkt. No. 034536-0357

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Klaus P. HIRTH
Title: METHOD FOR MOLECULAR
DIAGNOSIS OF TUMOR ANGIOGENESIS
AND METASTASIS
Appl. No.: 09/829,968
Appl. Filing Date: 4/11/2001
Examiner: Holleran, Anne L.
Art Unit: 1642

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on ____.

Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

b. Enclosed are:

Preliminary Amendment under 37 CFR 1.114

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|--|-------------------|---------------------|----------------------|-------------------|------------|
| RCE Fee 1.17(e): | | | | \$770.00 | = \$770.00 |
| Total Claims: | 7 | - 20 | = 0 | x \$18.00 | = \$0.00 |
| Independents | 1 | - 3 | = 0 | x \$86.00 | = \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | + \$290.00 | = \$0.00 |
| | | | | CLAIMS FEE TOTAL: | = \$770.00 |

A check in the amount of \$770.00 to cover the filing fee is enclosed.

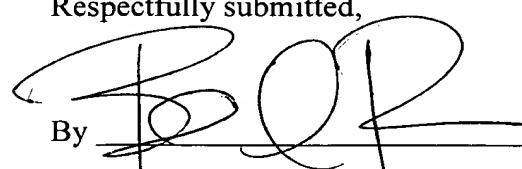
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date 2/27/04
FOLEY & LARDNER
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3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
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Respectfully submitted,

By


Beth A. Burrous
Attorney for Applicant
Registration No. 35,087



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Title: METHOD FOR MOLECULAR
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Appl. No.: 09/829,968

Filing Date: 04/11/2001

Examiner: Holleran, Anne L.

Art Unit: 1642

PRELIMINARY AMENDMENT UNDER 37 CFR 1.114

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Prior to examination on the merits, please enter the following Request for Continued Examination submission in the above-referenced application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 4 of this document.

Please amend the application as follows: